

Summit

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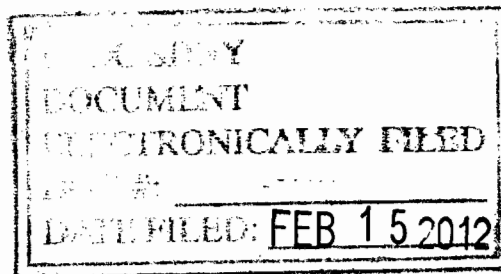
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AMERICAN CIVIL LIBERTIES UNION;
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION,

Plaintiffs,

v.

FEDERAL BUREAU OF INVESTIGATION,
UNITED STATES DEPARTMENT OF JUSTICE,

Defendants.
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ECF Case

11 Civ. 6398 (LTS)

**SECOND STIPULATION
AND ORDER REGARDING
DOCUMENT SEARCHES BY
THE FEDERAL BUREAU OF
INVESTIGATION**

WHEREAS, on September 14, 2011, Plaintiffs the American Civil Liberties Union and the American Civil Liberties Union Foundation (collectively, "Plaintiffs") filed a complaint for injunctive relief (the "Complaint") pursuant to the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"), naming as one of the defendants the Federal Bureau of Investigation ("FBI");

WHEREAS, the Complaint sought an order requiring, among other things, that the FBI search for and process documents responsive to the FOIA request that Plaintiffs submitted to the FBI on March 15, 2011;

WHEREAS, the FBI, along with the other defendant, the United States Department of Justice, answered the Complaint on October 17, 2011;

WHEREAS, by Stipulation and Order dated December 16, 2011, the FBI agreed to complete its search for responsive documents by January 23, 2012, and the parties agreed to meet and confer thereafter in an effort to reach an agreement on a schedule for the FBI's processing and production of responsive documents;

WHEREAS, the FBI has completed its search for documents responsive to Plaintiffs' FOIA request; and

WHEREAS, the parties have agreed to a schedule for the FBI's processing and production of responsive documents.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among Plaintiffs and the FBI as follows:

1. By May 7, 2012, the FBI will process all responsive documents located in its searches conducted in response to plaintiffs' FOIA request and will either produce them to Plaintiffs, or notify Plaintiffs of the complete or partial withholding of documents pursuant to an applicable FOIA exemption.
2. Within three weeks of the completion of all productions and/or notifications pursuant to paragraph 1 above, the parties will meet and confer regarding the documents withheld in whole or in part by the FBI, and Plaintiffs will notify the FBI if they intend to object to any of these withholdings. If Plaintiffs indicate that they object to one or more of these withholdings, the parties will endeavor to resolve or narrow the parties' differences. To the extent necessary, the parties will attempt to agree upon, or else request that the Court establish, a

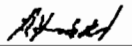
schedule for the FBI to prepare a formal or informal index of the exemptions claimed for the withheld documents at issue, and for the parties to brief to the Court the propriety of the relevant withholdings.


3. For good cause shown, the deadline in paragraph 1 for the FBI to complete the processing and production of responsive documents may be extended either (a) by the parties pursuant to a stipulation and order submitted to the Court for approval, or (b) by application made by the FBI to the Court.

Dated: February 13, 2012
New York, New York

PROSKAUER ROSE LLP
Attorneys for Plaintiffs

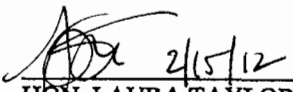
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Date:

SO ORDERED.


HON. LAURA TAYLOR SWAIN
United States District Judge